



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

TAKEUCHI et al

Atty. Ref.: 1232-29; Confirmation No. 6528

Appl. No. 10/824,546

TC/A.U. 1794

Filed: April 15, 2004

Examiner: Paden

For: OIL OR FAT COMPOSITION

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April 10, 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE AFTER FINAL REJECTION

This is responsive to the Official Action dated February 5, 2008, a Final Rejection.

Claims 8-12 and 17-23 are pending in the application. These claims are rejected as being “obvious” over U.S. patent 6,835,408. The ‘408 patent is, in fact, the parent of the present application.

The inventions claimed in the ‘408 patent and the claims of the present application were commonly owned at the time the inventions were made. This is in direct response to the examiner’s comment in the second full paragraph of page 3 of the Official Action.

Further answering, the inventors of the subject application and US patent 6,835,408 are, in fact, identical. Between the filing of the original application which resulted in the ‘408 patent and issuance of that patent, two of the female inventors were married. Evidence of this was presented in the parent application on April 27, 2004 together with the relevant petition and included declarations from both inventors as to their name change. Submitted with this response